

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JUDITH and WILLIAM THOMAS,)	
)	
Plaintiffs,)	
)	
vs.)	Case number 4:09cv0245 TCM
)	
LINDA HARDING,)	
)	
Defendant.)	

ORDER OF REMAND

This diversity case, removed by defendant, Linda Harding, from the Twenty-Second Judicial Circuit Court for the State of Missouri, is before the Court on the uncontested motion of plaintiffs, Judith and Williams Thomas, to remand. Plaintiffs correctly note in their motion that the case is not removable because Defendant is a resident of Missouri. See 28 U.S.C. § 1441(b). Consequently,

IT IS HEREBY ORDERED that Plaintiffs' motion to remand is **GRANTED**.¹ [Doc. 5]

IT IS FURTHER ORDERED that this case is REMANDED to the Circuit Court of for the Twenty-Second Judicial Circuit Court for the State of Missouri.

/s/ Thomas C. Mummert, III
THOMAS C. MUMMERT, III
UNITED STATES MAGISTRATE JUDGE

Dated this 23rd day of March, 2009.

¹Insofar as Plaintiffs seek an unspecified amount of attorney fees and costs, their motion is denied.